

REMARKS

Claims 1-9, 11-31, 33-50, and 52-75 are pending with claims 1, 23, 42, 52, and 64 being independent. Claims 1, 23, 42, 52, and 64 have been amended.

Paragraph 11: Drawings

In accordance with the Examiner's suggestion, applicant will submit formal drawings when the claims are allowed.

Paragraph 12: Specification

In accordance with the Examiner's request, applicant has changed the title to "Method and system for preventing capture of electronic digital content." Applicant requests acceptance of the new title because it is believed that the new title better reflects the subject matter of this application.

Paragraphs 13-22: 35 U.S.C. §112, second paragraph

The Examiner indicates at Paragraph 9 that the 35 U.S.C. §112, second paragraph rejections were withdrawn. Accordingly, applicant assumes that the rejections repeated at Paragraphs 13-22 are simply listed in error. For this reason, applicant does not address these rejections.

Paragraphs 23-30: 35 U.S.C. §102(b)

Independent claim 52 recites a computer-implemented method of protecting content. Claim 52 has been amended to recite that the method includes presenting a visible indicator that differs from the content and indicates a presence of the content, preventing a user from perceiving the content while the visible indicator is not selected, and enabling a user to perceive the content while the visible indicator is selected. The method further includes receiving a request from the user to capture the content, and preventing the user from capturing the content and preventing a perception of the content whenever the user attempts to capture the content.

Independent claim 64 recites a system for protecting content that includes, among other features, a processor, an output device, an input device and memory. The memory stores software instructions performed by the processor for performing the method of claim 52.

Claims 52-56 and 64-68 have been rejected as being anticipated by U.S. Patent No. 5,881,287 (Mast). Applicant requests withdrawal of this rejection because Mast fails to describe or suggest the presentation of a visible indicator that differs from content and that indicates the presence of the content.

Mast relates to a method of securing images from unlicensed appropriation. See Mast at col. 3, lines 25-28. When a user initiates a memory transfer such as "PRINT SCREEN," Mast prevents a protected image 802A on the screen from being transferred to the print out of the screen. See Mast at col. 10, lines 53-61 and Fig. 8. Thus, Mast's system transfers only unprotected images and fills in the region of the print out where the protected image 802A would have been displayed with a pattern or message. See Mast at col. 10, line 61 to col. 11, line 1 and Fig. 8. As such, Mast's system prevents the user from capturing the protected image 802A.

However, Mast's system does not present a visible indicator that differs from the protected image 802A and that indicates the presence of the protected image. For this reason, claims 52 and 64 are allowable over Mast.

While the Examiner has not rejected claims 52 and 64 over any other references, some of the new features in claim 52 and 64 are similar to features found in previously-presented claim 1. Accordingly, applicant addresses the allowability of claims 52 and 64 over U.S. Patent No. 6,032,150 (Nguyen), Lemay et al. "Teach Yourself Java 2 in 21 Days" (Lemay), and Huseby "Video on the World Wide Web Accessing Video from WWW Browsers" (Huseby), which were used in various combinations in the rejection of claim 1 and at least some of the claims dependent on claim 1.

Nguyen fails to cure the deficiencies of Mast to describe or suggest such a visible indicator. Nguyen relates to a system that presents information in a web document 121 using a program applet 124 to restrict copying of the document 121. See Nguyen at Abstract. In Nguyen's system, the program applet 124 is invoked when a user selects a second region 122 in an attempt to select a first region 122 that includes a graphical element 123. See Nguyen at col.

3, lines 12-24 and Fig. 1. Neither the program applet 124 nor the first and second regions are visible indicators of the underlying graphical element 123.

Huseby fails to cure the deficiencies of Mast to describe or suggest such a visible indicator. Huseby merely relates to a description of how a Java applet operates and there is no suggestion in Huseby of using a Java applet with graphics to indicate a presence of content that is different from the Java applet graphics. See Huseby at page 4.

Lemay relates to a Java applet in which graphics can be displayed by creation of an image object. See Lemay at page 245. However, Lemay does not provide any motivation to modify Mast in a manner that includes Lemay's Java applet graphics. In particular, there is no suggestion in Lemay or in any of the other cited references that such a Java applet that has graphics can be used to indicate presence of content that is different from the Java applet graphics. While Lemay suggests the use of visible labels and buttons in the applet, there is no suggestion that Lemay's visible labels and buttons could be used to indicate a presence of content that is different from the labels and buttons, where that content is somehow being protected.

For these reasons, claims 52 and 64 are allowable over any possible combination of Mast, Nguyen, Lemay, and Huseby. Claims 53-56 and 65-68 depend from claims 52 and 64, and are allowable for at least the reasons that claims 52 and 64 are allowable.

Paragraphs 31-43: 35 U.S.C. §103(a)

Independent claim 1 relates to a computer-implemented method of protecting content. The method includes, among other features, preventing a user from capturing content and preventing a perception of the content at a presented indicator whenever the user attempts to capture the content, where the presented indicator differs from the content and indicates a presence of the content.

Independent claim 23 relates to a system for protecting content including, among other features, a processor, an output device, an input device, and memory. The memory stores software instructions performed by the processor for performing the method of claim 1.

Independent claim 42 relates to computer software, tangibly embodied in a computer-readable medium or in a propagated carrier signal, for protecting content, for causing a computer system to perform the method of claim 1.

Claims 1-3, 8, 9, 11-17, 23-25, 30, 31, 33-35, 42-44, 49, and 50 have been rejected as being obvious over U.S. Patent No. 6,032,150 (Nguyen) in view of Mast. Applicant requests withdrawal of this rejection because any combination of Nguyen and Mast would fail to describe or suggest preventing a perception of content at a presented indicator whenever a user attempts to capture the content, as recited in claims 1, 23, and 42.

The Examiner agrees that Nguyen fails in this regard, as indicated at Paragraph 33. Moreover, Mast fails to cure the deficiencies of Nguyen to describe or suggest preventing a perception of content at a presented indicator whenever a user attempts to capture the content. As the Examiner noted in Paragraph 10 of the pending Office Action, the printout of the screen described in Mast "is another perception of the content, which is obscured when the user attempts to capture it." However, amended claims 1, 23, and 42 now require that the perception of content is prevented at a presented indicator. Mast merely discloses preventing the perception of content in the printout, by replacing the protected image 802A with the filled region 802C in the finished transfer 800C (that is, the printout). See Mast at col. 10, line 53 to col. 11, line 5 and Fig. 8.

For this reason, Mast fails to describe or suggest preventing a perception of content at a presented indicator whenever a user attempts to capture the content. Accordingly, claims 1, 23, and 42 are allowable over any possible combination of Nguyen and Mast. Claims 2, 3, 8, 9, 11-17, 24, 25, 30, 31, 33-35, 43, 44, 49, and 50 depend from claims 1, 23, or 42 and are allowable for at least the reasons that claims 1, 23, and 42 are allowable.

Paragraphs 44-49: 35 U.S.C. §103(a)

Claims 57-60, 62, 69-72, and 74 have been rejected as being obvious over Mast in view of Nguyen. Applicant requests withdrawal of this rejection for the following reasons. Claims 57-60, 62, 69-72, and 74 depend from claims 52 or 64, which were rejected as being anticipated by Mast. As discussed above, Mast fails to describe or suggest the presentation of a visible indicator that differs from content and that indicates the presence of the content. As also discussed above, Nguyen fails to cure the deficiencies of Mast to describe or suggest such a visible indicator. Accordingly, claims 52 and 64 are allowable over any possible combination of

Mast and Nguyen. Claims 57-60, 62, 69-72, and 74 are allowable for at least the reasons that claims 52 and 64 are allowable.

Paragraphs 50-59: 35 U.S.C. §103(a)

Claims 4-7, 18-21, 26-29, 36-39, 41, and 45-48 have been rejected as being obvious over Nguyen in view of Mast and Lemay et al. "Teach Yourself Java 2 in 21 Days" (Lemay).

Applicant requests withdrawal of this rejection for the following reasons. Claims 4-7, 18-21, 26-29, 36-39, 41, and 45-48 depend from independent claims 1, 23, or 42, which were rejected as being obvious over Nguyen in view of Mast. Lemay fails to cure the deficiencies of Nguyen to describe or suggest preventing a perception of content at a presented indicator whenever a user attempts to capture the content, as recited in claims 1, 23, and 42. For example, while Lemay describes at page 245 that graphics can be displayed in the Java applet by creation of an image object, Lemay does not describe or suggest that a user will be prevented from perceiving the graphics whenever a user attempts to capture the graphics. For this reason, claims 1, 23, and 42 are allowable over any possible combination of Nguyen and Lemay. Claims 4-7, 18-21, 26-29, 36-39, 41, and 45-48 are allowable for at least the reasons that claims 1, 23, and 42 are allowable.

Paragraphs 60-62: 35 U.S.C. §103(a)

Claims 61 and 73 have been rejected as being obvious over Mast in view of Nguyen and Lemay. Applicant requests withdrawal of this rejection for the following reasons. Claims 61 and 73 depend, respectively, from claims 52 and 64, which were rejected as being anticipated by Mast. As discussed above, Mast fails to describe or suggest the presentation of a visible indicator that differs from content and that indicates the presence of the content, and Nguyen fails to cure the deficiencies of Mast to describe or suggest such a visible indicator. As also discussed above, one of ordinary skill in the art would not have been motivated to modify claims 52 and 64 using the graphics of Lemay. In particular, there is no suggestion in Lemay or in any of the other cited references that such a Java applet that has graphics can be used to indicate presence of content that is different from the Java applet graphics. While Lemay suggests the use of visible labels and buttons in the applet, there is no suggestion that Lemay's visible labels

and buttons could be used to indicate a presence of content that is different from the labels and buttons, where that content is somehow being protected. Accordingly, claims 52 and 64 are allowable over any possible combination of Mast, Nguyen, and Lemay. Claims 61 and 73 are allowable for at least the reasons that claims 52 and 64 are allowable.

Paragraphs 63-65: 35 U.S.C. §103(a)

Claims 22 and 40 have been rejected as being obvious over Nguyen in view of Mast and Huseby "Video on the World Wide Web Accessing Video from WWW Browsers" (Huseby). Applicant requests withdrawal of this rejection for the following reasons. Claims 22 and 40 depend, respectively, from claims 1 and 23, which were rejected as being obvious over Nguyen in view of Mast. Huseby fails to cure the deficiencies of Nguyen and Mast to describe or suggest preventing a perception of content at a presented indicator whenever a user attempts to capture the content. For example, Huseby describes at pages 4 and 5 building a program for coding and decoding of image streams. However, Huseby never suggests that a user will be prevented from perceiving the image stream whenever a user attempts to capture the image stream. For this reason, claims 1 and 23 are allowable over any possible combination of Nguyen, Mast, and Huseby. Claims 22 and 40 are allowable for at least the reasons that claims 1 and 23 are allowable.

Paragraphs 66-68: 35 U.S.C. §103(a)

Claims 63 and 75 have been rejected as being obvious over Mast in view of Nguyen and Huseby. Applicant requests withdrawal of this rejection for the following reasons. Claims 63 and 75 depend, respectively, from claims 52 and 64, which were rejected as being anticipated by Mast. As discussed above, Mast fails to describe or suggest the presentation of a visible indicator that differs from content and that indicates the presence of the content, and Nguyen fails to cure the deficiencies of Mast to describe or suggest such a visible indicator. As also discussed above, Huseby fails to cure the deficiencies of Mast to describe or suggest such a visible indicator. Huseby merely relates to a description of how a Java applet operates and there is no suggestion in Huseby of using a Java applet with graphics to indicate a presence of content that is different from the Java applet or the graphics. See Huseby at page 4. Accordingly,

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claims 52 and 64 are allowable over any possible combination of Mast, Nguyen, and Huseby.
Claims 63 and 75 are allowable for at least the reasons that claims 52 and 64 are allowable.

Conclusion

In conclusion, it is believed that all claims are in condition for allowance.

Enclosed is a \$910.00 check of which \$790 is for the filing of a Request for Continued Examination (RCE) and \$120 is for the one-month extension of time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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